

**AGRICULTURAL & FORESTAL DISTRICT-7-86-12. Mill Creek AFD Addition (8700 Barnes Road)**

**Staff Report for the December 11, 2012, Board of Supervisors Meeting**

*This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.*

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**PUBLIC HEARINGS**

AFD Advisory:  
Planning Commission:  
Board of Supervisors:

**Building F Board Room; County Government Complex**

October 18, 2012 , 4:00 p.m.  
November 7, 2012, 7:00 p.m.  
December 11, 2012, 7:00 p.m.

**SUMMARY FACTS**

Applicant:	Mr. Kevin Fair
Land Owner:	8700 Barnes Road LLC
Location:	8700 Barnes Road
Tax Map/Parcel No.:	1010100037
Primary Service Area:	Outside
Parcel Size:	104 acres
Existing Zoning:	A-1, General Agricultural
Comprehensive Plan:	Rural Lands
Surrounding AFD Land:	The parcel is surrounded to the south by other parcels located in the Mill Creek Agricultural and Forestal District (AFD), as well as one on the northern side across Barnes Road.

**STAFF RECOMMENDATION**

Staff recommends that the Board of Supervisors approve the addition to the Mill Creek AFD with the conditions found in the attached ordinance. At its October 18, 2012, meeting, the AFD Advisory Committee voted 8-0 to recommend approval of the application.

Staff Contact: Jason Purse, Senior Planner II Phone: 253-6685

**PLANNING COMMISSION RECOMMENDATION**

On November 7, 2012, the Planning Commission voted 6-0 to recommend approval of this application.

**Proposed Changes Made Since Planning Commission Meeting**

None.

## **PROJECT DESCRIPTION**

The parcel is wooded with approximately 2,600 feet of frontage along Barnes Road. The parcel has not been developed and there are steep slopes and wetlands that bisect the property in multiple locations. This area is best protected by its current land use and approval of this AFD would aid in the protection of this environmentally sensitive portion of the site. The property is outside of the Primary Service Area (PSA).

## **Surrounding Land Uses and Development**

This parcel is zoned A-1, General Agricultural, and is surrounded by mostly wooded land that is a part of the Mill Creek AFD. There are smaller residential lots across Barnes Road from this parcel, as well as to the east of the property. The forestal use on this parcel is compatible with the surrounding land uses and development in the area.

## **COMPREHENSIVE PLAN**

The Comprehensive Plan designates this parcel as Rural Lands. A Comprehensive Plan objective calls for protecting and preserving the County's agricultural and forestal lands and activities. The AFD program supports this objective.

## **Soils**

The site consists of soil types which are suited to support the growth of woodlands and the property is wooded.

## **Analysis**

The proposed addition meets the minimum area and proximity requirements for inclusion into an AFD. The existing Mill Creek AFD contains 3,361 acres. If the 104-acre addition is approved, the district will have 3,465 acres. On September 28, 2010, the Board of Supervisors approved a renewal of the Mill Creek AFD for a period of four years, one month, and three days. The district will be up for renewal in October 31, 2014. This addition would be subject to the conditions of the existing district as follows:

1. The subdivision of land is limited to 25 acres or more, except where the Board of Supervisors authorizes smaller lots to be created for residential use by members of the owner's immediate family. Parcels of up to five acres, including necessary access roads, may be subdivided for the siting of communications towers and related equipment provided: a) the subdivision does not result in the total acreage of the District to drop below 200 acres; and b) the subdivision does not result in a remnant parcel of less than 25 acres.
2. No land within the AFD may be rezoned and no application for such rezoning shall be filed earlier than six months prior to the expiration of the District. Land within the AFD, may be withdrawn from the District in accordance with the Board of Supervisors' Policy Governing the Withdrawals of Property from AFDs, adopted September 28, 2010, as amended.
3. No special use permit shall be issued except for agricultural, forestal, or other activities and uses consistent with the Virginia Code, Section 15.2-4301 et. seq., which are not in conflict with the policies of this District. The Board of Supervisors, at its discretion, may issue special use permits for wireless communications facilities on AFD properties, which are in accordance with the County's policies and ordinances regulating such facilities.

## **RECOMMENDATION**

Staff recommends that the Board of Supervisors approve the addition to the Mill Creek AFD with the conditions found in the attached ordinance. At its October 18, 2012, meeting, the AFD Advisory Committee voted 8-0 to recommend approval of the application. At its November 7, 2012, meeting the Planning Commission voted 6-0 to recommend the approval of the application.

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Jason Purse

CONCUR:

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Allen J. Murphy, Jr.

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ATTACHMENTS:

1. Ordinance
2. Location Map
3. Unapproved minutes from the November 7, 2012, Planning Commission meeting